

REMARKS/ARGUMENTS

In the Claims

1. **Status of the Claims.** Claims 1 - 11 are currently amended. Claim 12 is cancelled. Claims 13 - 15 are new.
2. **Support for Amendments.** Claims 1 and 3 - 11 are amended to overcome rejections under 35 U.S.C. §112 and to more clearly claim the subject matter that Applicant regards as the invention. Claims 1 and 8 are amended to replace the trade name "Teflon" with -- polytetrafluoroethylene --, which are equivalents. Claims 2 and 5 are amended to include limitations on the size of the active area of the detector head. Support for this limitation can be found at least in the first partial paragraph of page 11 of the originally filed specification. Claims 13 and 14 include limitations found at least in originally filed claim 6. Claim 15 includes limitations found at least in originally filed claim 5.
3. **Claim Rejections under 35 U.S.C. §112.** Claims 1 - 4, 9, 10, and 11 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and claim the subject matter which Applicant regards as the invention. Regarding claims 1, 9, and 11, the terms "preferably" or "preferentially" are removed from the claims. Regarding claim 1, the limitation "the main means to detect" is amended to read "the means to detect ultraviolet radiation," which has antecedent support earlier in the claim. Regarding claim 3, the limitation "the components mention in claim 1" is removed from the claim. Regarding claims 10 and 11, the limitations of "other similar means or places" are removed from the claims.
4. **Claim Rejections under 35 U.S.C. 103.** Claims 1, 2, and 4 - 11 were rejected under 35 U.S.C. §103(a) as being unpatentable over Wuest (U.S. Pat. No. 6,426,503) in view of Benjamin et al. (U.S. Pat. No. 4,975,548) and May et al. (U.S. Pat. No. 5,382,799). In light of the arguments below, Applicant respectfully requests that Examiner reconsider and withdraw the rejections of Claims 1, 2, and 4 - 11 under 35 U.S.C. §103(a).

Regarding claims 1 and 9, Wuest does not disclose where the amplifier is a low noise operational amplifier with a low sensitivity to temperature. While Wuest does disclose that the amplifier is a transimpedance operational amplifier, none of the cite references specifically disclose that the amplifier is a low noise operational amplifier with a low sensitivity to temperature. These limitations enabled the invention to operate in a wide variety of environmental conditions, which is key to one of the stated goals of informing a wide range of individuals on their current incident UV levels.

Regarding claims 2 and 5, none of the cited references teach or disclose an active area that is larger than one millimeter squared. This enables the device to garner accurate readings to display to users.

Regarding the remaining claims, these claims depend at least upon claim 1 or claim 5, and for those reasons are allowable as well.

Claim 3 was rejected under 35 U.S.C. §103(a) as being unpatentable over Wuest, Benjamin et al., and May in view of Yagi (U.S. Pub. No. 2006/0076501). Yagi is not valid prior art against the current application. The current application is a national stage filing of PCT/EP04/14685 with a filing date of December 23, 2004. That application claims priority to CL 15.2004 with a filing date of January 5, 2004. Therefore, the current application has a priority date and effective filing date of January 5, 2004. Yagi was published on April 13, 2006 and filed on October 12, 2004. Since Yagi was published after the priority date of the current application, Yagi is not valid prior art under 35 U.S.C. §§102(a) or (b). Further, Yagi is not valid prior art under 35 U.S.C. §102(e) either because Yagi was filed after the effective filing date of the current application. 35 U.S.C. §§102(c), (d), (f), and (g) are not applicable. Thus, Yagi is not valid prior art under 35 U.S.C. §103(a). For these reasons, claim 3 is patentable under 35 U.S.C. §103(a).

CONCLUSION

All of the objections and rejections raised by the Examiner have been addressed by Applicant. In view of the amendments to the claims and the remarks submitted herein, Applicant submits that all of the claims of record not withdrawn or cancelled are in condition for allowance and respectfully requests that a Notice of Allowance be issued in this case in due course. I certify that this response to the Office Action adds no new matter to the application.

If it is felt for any reason that direct communication with Applicant's attorney would serve to advance prosecution of this application to allowance, the Examiner is invited to contact the undersigned attorney of record in this case.

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Respectfully Submitted,

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